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**Sustains Action of the Commission in Fixing State Railroad Passenger Fare to Remove Unjust Discrimination Against Interstate Commerce—Court Holds That "Commerce is a Unit and Does Not Regard State Lines"—Commission Acted Under Transportation Act of 1920.**

Washington, Feb. 27.—Declaring that "commerce is a unit and does not regard state lines," the supreme court today through Chief Justice Taft and without dissent handed down a decision upholding the constitutionality of the commerce commission under the transportation act of 1920 to fix state railroad passenger fare when necessary to remove undue, unreasonable and unjust discrimination against interstate commerce.

Two cases were presented to the court. One was brought by the railroad commission of Wisconsin and others against the Chicago, Burlington and Quincy railroad seeking an injunction to prevent the railroads of the state from "loading the effort on state passenger traffic the way of the interstate commerce law, which is a privilege not permitted by the interstate commerce law."

The court stated the issues presented by the two questions, one as to whether "intrastate passenger fares work undue prejudice against persons in interstate commerce, such as to justify a horizontal increase of them. It announced it could not sustain 'the sweep' of the commission's order 'on the showing' made by the state.

"Congress in its control of its interstate commerce system is seeking in the transportation act to make the system adequate to the needs of the country by securing for it a reasonable compensation for such service."

chief justice stated the opinion. The states are seeking to use that same system for intrastate traffic. That entails large duties and expenditures on the interstate-commerce system which may burden it unless compensation is received for the intrastate business reasonably commensurate with that for the interstate business. "In contrast,"

dominant controller of interstate commerce may therefore restrain undue limitation of the earning power of the interstate commerce system in doing state work. . . . "It can impose any reasonable condition on a state's use of interstate carriers for intrastate commerce, it deems it desirable to do."

This is because of the supremacy of the

Referring to the suggestion that the conclusion of the court would give the interstate commerce commission "unified control of interstate and intrastate commerce" the court declared that such was not the only to the "extent of maintaining efficient regulation of interstate commerce under the paramount

power of congress. The decision of the court "does not involve general regulation of intrastate commerce," it added.

It suggested that "the action of the interstate commerce commission in this regard should be directed to substantial disparity which operates as a real dis-

Harford railroad and associated lines 15 per cent. increase in their share of rate on interchanged freight. A resolution was adopted instructing counsel immediately to prepare papers in a suit to join the commission from enforcing order.

**BILL CALLS FOR \$25,000,000 SHIP SUBSIDY ANNUALLY**

Washington, Feb. 27.—A ship subsidy of about \$25,000,000 annually for an American merchant marine to be paid to the Government out of 1 per cent of the nation's customs receipts to that purpose is provided in a bill to be introduced.

Berlin, Feb. 27.—German military and naval secrets of much importance have come into the hands of Japanese government agents, according to information which has reached authoritative circles in Berlin. Among these are processes

duced with the approval of the shipping board in both houses of congress after a message urging a ship subsidy plan had been delivered by President Harding. The president, it was said at the White House, had been "informed of" and addressed a joint session of congress tomorrow and it was said will endorse the subsidy plan proposed by the shipping board.

Details of the bill which will be introduced by Chairman Jones of the commerce committee in the senate and by the Hon. C. O. Jones of the senate maritime committee were made known unofficially tonight.

The \$2,000,000 subsidy based on ten per cent. of the customs receipts it was

explained, is to encourage foreign trade in American bottoms as was first attempted in recent tariff bills by means of a bounty to vessel owners for the American flag. At the time such course was found impossible because of existing trade treaties with other nations and the provisions were not retained.

The subsidy, it is understood, will na-

der the bill range upward from a basic rate of one-half cent per gross ton per mile, regardless of the tonnage of the American vessels of 1,500 gross tons or more. Additional allowances will be provided for speed ranging from 13 to 23 nautical miles or greater or from two tenths of one cent to a fraction more than two cents.

A recruiter for the Japanese navy is warning the Japanese that they must have "care for German rights" has issued from what is described as an important industrial circle.

The conscription laws were under the bill be extended to the Philippines and railroad would be extended to the Philippine coast in the

**DECISION SUSTAINS THE WILL OF AMOS F. F.**

**STAMFORD TOWN COUNCIL MANAGER DISCHARGED TOWN MANAGER**

Stamford, Conn., Feb. 27.—The town council by a vote of 10 to 2 tonight discharged as town manager.

charged Town Manager R. H. Hunter, his term of office to expire tomorrow. This town adopted the town manager plan last fall and Mr. Hunter was later engaged as town manager.

The meeting in the hall tonight was attended by several hundred townspeople. There was some disturbance and police were needed to preserve order.

an estate valued at \$120,000,000, wholly to Columbia University and certain public institutions here.

In setting aside the last verdict, rendered February 15, Surrogate E. C. here said it was against the strict law and contrary to the law, and reached the point that where a will or a contract is matched against documents and

There was hissing and cat calling while the proceedings were on and eight deputy sheriffs and the police force were kept busy trying to check the noise. The councilmen were given no space.

After the vote was taken the crowd became boisterous and several of the councilmen were taken home by the police in automobiles. The council adjourned.

evidence, the latter must prevail.

Among Eno's relatives who fought persistently to break the were his sister Mary P. Eno of S. W. Eno, and Henry L. Eno of Princeton, N. J.

Mr. Eno was 78 when he died in

ed until March 1 when an effort will be made to elect a successor to Hunter.

A letter was read by the council which had been signed by many taxpayers asking it to retain Hunter.

Charges were made in the town council that the town manager had used his office to make certain purchases without securing permission of the council.

Minneapolis, Minn., Feb. 27.—wheat came within a quarter cent touching \$1.50 today at the Minneapolis Chamber of Commerce, reaching highest price here since May 25, when a dropping market forced it to

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